

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Thomas C. Holman
Bankruptcy Judge
Sacramento, California

November 19, 2013 at 9:31 A.M.

1. [13-32918](#)-B-13 CEDRIC JONES
MDZ-1

HSBC BANK USA, N.A. VS.
CASE DISMISSED 10/15/13

AMENDED MOTION FOR RELIEF FROM
AUTOMATIC STAY
10-16-13 [[14](#)]

Tentative Ruling: The motion is dismissed as moot. The bankruptcy case was dismissed by order entered October 15, 2013 (Dkt. 11). The movant already has the relief it seeks by this motion.

The court will issue a minute order.

2. [13-29066](#)-B-13 LEE OWENS
TRM-44

GW VACATION SUITES OWNERS
ASSOCIATION, INC. VS.

CONTINUED MOTION FOR RELIEF
FROM AUTOMATIC STAY AND/OR
MOTION FOR ADEQUATE PROTECTION
8-28-13 [[38](#)]

Disposition Without Oral Argument: Oral argument will not aid the court in rendering a decision on this matter.

This motion was withdrawn on October 4, 2013 (Dkt. 62), and it is dropped from the calendar.

The court will issue a minute order.

3. [13-31391](#)-B-13 JOHN/JUTTA MARTIN
RFM-1

KEYBANK, N.A. VS.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
10-7-13 [[18](#)]

Tentative Ruling: The motion is dismissed as moot. The movant seeks relief from the automatic stay to permit the movant to obtain possession of its collateral, a 1995 Navigator 50" Pilothouse (Haul No. NVEY20019F595) (the "Collateral"), to dispose of it pursuant to applicable non-bankruptcy law, and to use the proceeds from its disposition to

satisfy its claim . A plan was confirmed in this case by order entered on November 1, 2013 (Dkt. 26) (the "Plan"). The Plan treats the movant's claim as a class 3 surrender claim. Pursuant to Section 2.10 of the Plan, "upon confirmation of the plan, all bankruptcy stays are modified to allow a Class 3 secured claim holder to exercise its rights against its collateral" (Dkt. 5, p.3). The movant already has the relief it seeks by this motion.

The court will issue a minute order.